

W.P.(MD)No.871 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.871 of 2025

and

W.M.P.(MD)No.547 of 2025

Surath Nagima

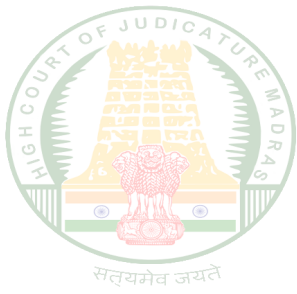
... Petitioner

vs.

The Deputy Director,
District Town and Country Planning Office,
NGO Nagar, Chatrareddiapatti,
Virudhunagar, Virudhunagar District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for records pertaining to the impugned order of the respondent passed in Na.Ka.No. 1112/2024/Viru.Ma dated 18.09.2024 and quash the same as illegal and consequently, to direct the respondent to regularize petitioner house site land with an extent of 191.80 Square Meter situated in T.S.No. 9/1E, Ward -F, Block - 4, Sivakasi, Virudhunagar District within a stipulated time fixed by this Court.



WEB COPY



W.P.(MD)No.871 of 2025

For Petitioner :Mr.R.Karunanidhi
For Respondent :Mr.S.S.Madhavan
Additional Government Pleader

ORDER

Heard Mr. R. Karunanithi, learned counsel for the petitioner, and Mr. S.S. Madhavan, learned Additional Government Pleader, who accepts notice on behalf of the respondent.

2.The petitioner assails the communication dated 18.09.2024 issued by the respondent, whereby the petitioner's application for regularisation of her house site land measuring 191.80 square metres situated in T.S. No. 9/1E, Ward-F, Block-4, Sivakasi, Virudhunagar District, came to be rejected.

3.The petitioner claims that the said property was conveyed in her favour by her father through a settlement deed. In the approved layout, the said property had been earmarked as "School and Playground" and, therefore, the petitioner submitted an application seeking regularisation of the said plot in terms of the circular dated 14.08.2021 issued by the



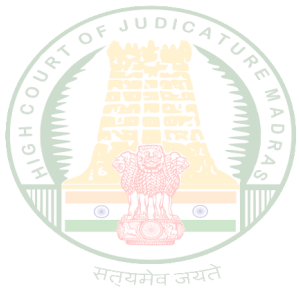
W.P.(MD)No.871 of 2025

Director of Town and Country Planning, Koyambedu, Chennai.

WEB COPY

4.The grievance of the petitioner is that the said application came to be rejected on the ground that the subject property had been earmarked as “School and Playground” in the original approved layout under the Sivakasi Detailed Development Plan published in the year 1993.

5.The circular dated 14.08.2021 issued by the Director of Town and Country Planning, Chennai, reveals that where a plot has been earmarked as “School and Playground” in the original approved layout plan, the District Officers are delegated with powers to grant permission for such conversion of use proposals at their level itself, strictly adhering to the norms prescribed in the resolution of the Empowered Committee, provided that school and playground facilities are available within a radius of two to three kilometres from the approved layout plan. Therefore, rejection of the petitioner’s application without considering the said circular is arbitrary and discriminatory.



W.P.(MD)No.871 of 2025

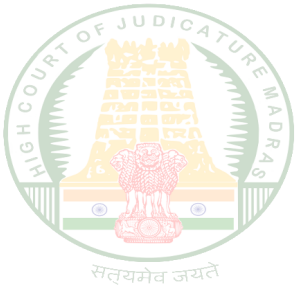
WEB COPY

6.Insofar as the reservation of the subject property as “School and Playground” in the Sivakasi Detailed Development Plan is concerned, such reservation has lapsed by operation of Section 38 of the Tamil Nadu Town and Country Planning Act, since the land has not been acquired within five years from the date of such publication.

7.In light of the above, the impugned communication issued by the respondent is not legally sustainable and is liable to be set aside.

8.Accordingly, the Writ Petition is allowed and the impugned order passed by the respondent in Na.Ka. No. 1112/2024/Viru.Ma dated 18.09.2024 is hereby set aside. The respondent is directed to reconsider the application submitted by the petitioner afresh on its own merits and pass appropriate orders in accordance with law granting regularisation of the subject house site, subject to the petitioner satisfying all other eligibility criteria.

9.The aforesaid exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.



W.P.(MD)No.871 of 2025

WEB COPY

10. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

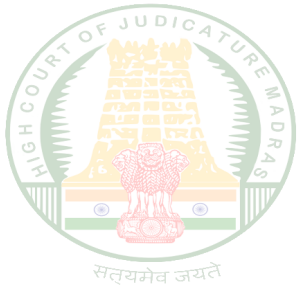
Index : Yes / No
Internet : Yes / No
NCC : Yes / No

27.04.2026

cmr

To

The Deputy Director,
District Town and Country Planning Office,
NGO Nagar, Chatrarediapatti,
Virudhunagar, Virudhunagar District.



WEB COPY



W.P.(MD)No.871 of 2025

HEMANT CHANDANGOUDAR, J.

cmr

W.P.(MD)No.871 of 2025

27.04.2026